

IERC COMPLIANCE LETTER TO FACILITIES

Date

Name and address of facility

Dear

I am writing to follow up on a letter which was recently sent to you by the _____ County Emergency Planning Committee (LEPC). The LEPC has informed the Indiana Emergency Response Commission (IERC) that your company has not responded to their requests for information regarding your SARA Title III filing status.

Please review the SARA Title III reporting requirements located at www.in.gov.dhs/3893.htm to ascertain applicability to your facility. Within fifteen (15) days of receipt of this letter, kindly provide to this Committee, to your LEPC, and to your local fire department either:

- a. the required Title III filing information; or
- b. written statement on your company letter head to the same three agencies that you are not subject to the law's reporting requirements.

Should you fail to respond within the allotted time, the IERC will forward your company's name to Region 5 United States Environmental Protection Agency (USEPA) for investigation.

If your company is determined to be out of compliance with SARA Title III provisions, EPCRA section 325 allows USEPA to levy civil and administrative penalties ranging from \$10,000 to \$75,000 per violation or per day per violation. This entails criminal penalties of up to \$50,000 or five years in prison apply to any person who knowingly and willfully fails to provide emergency release notification; penalties of not more than \$20,000 and/or up to one year in prison apply to any person who knowingly and willfully discloses any information entitled to protection as a trade secret.

I urge your prompt compliance.

Sincerely yours,

Indiana Emergency Response Commission